



16638 U.S. PTO

PATENT

ATTORNEY DOCKET NO.: 56297-5003-21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Patent Application  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202



**PRIOR APPLICATION:** Examiner: J. Goldberg  
Group Art Unit: 1634

CONTINUATION, DIVISIONAL, AND CONTINUATION-IN-PART  
PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

**This is a request for filing a patent application under 37 C.F.R. § 1.53(b).**

1. This application is a [ ] Continuation [X] **Divisional** [ ] Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 10/125,460, filed on April 19, 2002, of Stephen P.A. **FODOR**, entitled **ARRAYS FOR DETECTING NUCLEIC ACIDS**
2. Specification of 142 pages including:  
    135 pages of description  
    6 pages of claims  
    1 page Abstract  
    2 sheets of figures (Figs. 1-2)
3. Amendments

For continuation and divisional applications:

- [X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

4. Oath or Declaration

For continuation or divisional applications:

- ☒ [X] A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

5. Assignment

For continuation or divisional applications:

- ☒ [X] The prior application is assigned of record to **AFFYMETRIX, INC.**, recorded **January 25, 2001**, at Reel/Frame **011476/0543**. (see *Notice of Recordation and Assignment documents* attached)

6. Fee Payment

- ☒ [X] The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of \$770.00 for the basic filing fee.

7. ☒ [X] The power of attorney in the prior application is to at least one of the **registered practitioners of Morgan, Lewis & Bockius LLP** included in the **Customer Number** provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number. (see *Submission of Revocation of Original Power of Attorney and Grant of New Power by Assignee(s); Change of Correspondence Address; and Notice Regarding Power of Attorney* attached)

8. [X] EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

9. Additional Papers

**Copies of the following:**

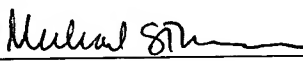
- [X] Notice Regarding Power of Attorney dated 09/06/02
- [X] Returned dated-stamped postcard dated 08/29/02
- [X] Submission of Revocation of Original Power of Attorney and Grant of New Power by Assignee(s) - transmittal
- [X] Revocation of Power of Attorney and Grant of New Power of Attorney by Assignee executed 08/08/02
- [X] Change of Correspondence Address
- [X] Notice of Recordation of Assignment Document w/executed Assignment (recorded 01/25/01 at reel/frame: 011476/0543) Assignee: Affymetrix Inc.
- [X] Notice of Recordation of Assignment Document w/executed Assignment (recorded 01/25/01 at reel/frame: 011476/0673) Assignee: Affymax Technologies N.V.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: October 28, 2003

By:



Michael S. Tuscan

Reg. No. 43,210

MORGAN, LEWIS & BOCKIUS LLP

Customer No.: 000033522

1111 Pennsylvania Avenue, NW

Washington, D.C. 2004

202-739-3000

202-739-3001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Stephen P.A. FODOR <i>et al.</i>	)	
	)	Group Art Unit: 1634
Application No.: 10/125,460	)	
	)	
Filed: April 19, 2002	)	Examiner: Unassigned
	)	
For: ARRAYS FOR DETECTING NUCLEIC ACIDS	)	

Commissioner for Patents  
Washington, D.C. 20231

Sir:


**CHANGE OF CORRESPONDENCE ADDRESS**

Please change the correspondence address from that listed in the original Combined Declaration and Power of Attorney in this application to:

**Customer Number 000033522**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
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Michael S. Tuscan  
Reg. No. 43,210

Dated: August 29, 2002

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